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Patent Docket P1626R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Adams et al. Serial No.: 09/397,342 Filed: September 15, 1999 For: UCP4	Group Art Unit: 1644 Examiner: R. Schwadron Confirmation No. 8628 CERTIFICATE OF EXPRESS MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service via Express Mail, Express Mail No. EL599583745US, in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on January 7, 2002 <i>Diane R. Marochang</i>
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**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
PURSUANT TO 37 CFR § 1.181(a) and MPEP § 711.03**

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

A Notice of Abandonment (copy attached hereto) was mailed on December 5, 2001 by the Patent and Trademark Office for the above-referenced application. The Notice of Abandonment indicates that this application became abandoned due to Applicants' failure to timely file a response to the Office Action mailed on May 4, 2001. The Notice of Abandonment indicates that no response was received by the Office.

The Office is respectfully requested to withdraw the holding of abandonment for the reason that a response to the May 4, 2001 office action was timely filed by the undersigned attorney of record for Applicants. Namely, on November 5, 2001, Applicants filed an Amendment, Amendment Transmittal, and Petition and Fee For Extension of Time Under 37 CFR §1.136(a). Copies of all these documents filed on November 5, 2001 are enclosed herewith. The Amendment responded fully to the Office Action dated May 4, 2001.

In view of the foregoing, it is submitted that an appropriate response to the Office Action mailed May 4, 2001 was timely filed. The Office is respectfully requested to withdraw the holding of abandonment and enter the Amendment filed by Applicants on November 5,


2001.

Applicants believe that no fee should be assessed because there has been no failure on Applicants' part to timely file a response. In the unlikely event, however, that fees are due, Applicants hereby authorize the Commissioner to deduct fees from our Deposit Account 07-0630 necessary to maintain the pendency of this application.

Respectfully submitted,
GENENTECH, INC.

Date: January 7, 2002

By:


Diane L. Marschang
Reg. No. 35,600

1 DNA Way
So. San Francisco, CA 94080-4990
Phone: (650) 225-5416
Fax: (650) 952-9881